

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting responsible end-of-life management for electric and hybrid vehicle batteries.

PETITION OF:

NAME:

Barry R. Finegold

DISTRICT/ADDRESS:

Second Essex and Middlesex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act promoting responsible end-of-life management for electric and hybrid vehicle batteries.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21A of the General Laws is hereby amended by adding the following new
2 section:-

3 Section 29. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Battery”, a device consisting of one or more electrically connected electrochemical cells
6 which is designed to receive, store and deliver electric energy.

7 “Battery management hierarchy”, the preference to reuse, repair, remanufacture or
8 repurpose batteries before recycling and to prioritize recycling over disposal.

9 “Battery provider”, person or entity that initially sells, offers for sale or distributes a
10 vehicle traction battery or a vehicle containing such a battery in or into the commonwealth,
11 including vehicle manufacturers licensed pursuant to applicable state law or vehicle traction
12 battery manufacturers that distribute vehicle traction batteries under their own name or brand;

13 provided, however that if there is no vehicle manufacturer or primary seller as listed herein , the
14 battery provider shall be the owner or licensee of the brand or trademark under which the vehicle
15 traction battery is sold or distributed in or into the commonwealth, including an exclusive
16 licensee with the exclusive right to use the trademark or brand in connection with the distribution
17 or sale of vehicle traction batteries.; provided further, that f no person or entity meets the above
18 criteria), the battery provider shall be the person or entity who imports the vehicle traction
19 battery into the commonwealth for sale, distribution or installation.; and provided further, that if
20 no other person or entity may be designated as the battery provider under the preceding criteria),
21 the distributor, retailer, dealer or wholesaler who sells or distributes the vehicle traction battery
22 in or into the commonwealth shall be deemed the battery provider. For the purposes of this
23 definition, the sale of a vehicle traction battery is considered to occur in the commonwealth if the
24 battery, or the vehicle containing the battery, is delivered to a licensed dealer or directly to a
25 consumer in the commonwealth. A secondary handler who sells, offers for sale or distributes a
26 vehicle traction battery within the commonwealth shall not be considered a "battery provider."

27 "Department", the department of environmental protection.

28 "End-of-life", the stage at which a vehicle traction battery is no longer suitable for its
29 primary intended purpose, such as powering a vehicle, and may be evaluated for potential
30 repurposing or recycling; provided, however, that "end-of-life" does not mean that a vehicle
31 traction battery is waste.

32 "Remanufacture", any repair or modification to a vehicle traction battery that results in
33 the complete battery, or any battery modules or battery cells thereof, being used for the same
34 purpose or application as the one for which the battery was originally designed.

35 "Repurpose", the use of a vehicle traction battery, or any battery modules or battery cells
36 thereof, to store and supply electricity in a manner other than its primary intended purpose.

37 "Reuse", the use of a vehicle traction battery in another vehicle from the same
38 manufacturer which does not require modification to the battery.

39 "Secondary handler", any entity, other than the battery provider, that takes possession of
40 a vehicle traction battery to sort, reuse, repair, remanufacture or prepare the battery for
41 repurposing by a secondary user or for end-of-life management by a specialized battery recycler.

42 "Secondary user", an entity that repurposes a vehicle traction battery before ensuring the
43 battery is directed to a specialized battery recycler.

44 "Specialized battery recycler", an entity or facility that is authorized by the department or
45 an equivalent agency in another state and:

46 (i) refines end-of-life vehicle traction batteries or battery materials back to usable battery
47 materials; or

48 (ii) extracts and separates end-of-life vehicle traction battery materials, such as lithium
49 compounds, cobalt, nickel, copper, aluminum, iron, manganese or graphite, and sends the
50 material for further processing or refining to another specialized battery recycler; provided,
51 however, that "specialized battery recycler" shall not include entities or facilities that are only
52 engaged in the collection or logistics of moving materials for recycling or whose primary method
53 of processing battery materials is done by smelting.

54 "Vehicle traction battery", a battery with the primary intended purpose to supply power to
55 propel an electric or hybrid vehicle.

56 (b) All vehicle traction batteries in the state shall be managed responsibly at end-of-life,
57 in accordance with the requirements of this section. Disposal of vehicle traction batteries through
58 landfilling is hereby prohibited.

59 (c)(1) A battery provider shall:

60 (i) ensure the end-of-life management of vehicle traction batteries if:

61 (A) a vehicle traction battery is removed from a vehicle still in service while under
62 warranty, in accordance with state and federal laws; or

63 (B) a vehicle traction battery is offered or returned to the battery provider; provided,
64 however, that returning to the battery provider may include directing the battery to a specialized
65 battery recycler designated by the battery provider;

66 (ii) consider the battery management hierarchy when managing any vehicle traction
67 batteries in their possession; and

68 (iii) coordinate with specialized battery recyclers for the end-of-life management of
69 vehicle traction batteries, including recycling, to ensure compliance with this act.

70 (2) A battery provider shall not be held liable for remanufactured or repurposed batteries
71 unless such battery provider performed the remanufacturing or repurposing or agreed to accept
72 responsibility by contract.

73 (d)(1) Upon taking possession of a vehicle traction battery, secondary handlers and
74 secondary users are responsible for end-of-life battery management, including consideration of
75 the battery management hierarchy.

76 (2) Secondary handlers and secondary users shall coordinate with a specialized battery
77 recycler for end-of-life management, including recycling, to ensure compliance with this section.

78 (e) Battery providers, secondary handlers and secondary users shall submit an annual
79 report to the department detailing the quantity and type of end-of-life vehicle traction batteries
80 managed in accordance with this section. A specialized battery recycler may submit this report
81 on behalf of any entity for which they have received vehicle traction batteries for end-of-life
82 management in accordance with this section, provided that the report includes all required data
83 from such entity. Reports submitted pursuant to this subsection shall include data on:

84 (i) the total volume of propulsion batteries managed at end-of-life, including those
85 repurposed or recycled;

86 (ii) the volume of batteries that will be sent to a specialized battery recycler; and

87 (iii) the recovery rates of lithium, nickel, cobalt, copper, aluminum and graphite, as
88 applicable.

89 (f) To implement the provisions of this act, the department shall review, evaluate and
90 compare any applicable federal requirements to those established pursuant to this section. The
91 department shall, if necessary, revise any applicable regulations to ensure compliance with
92 federal standards and to promote efficiency and feasibility. The department shall be authorized to
93 determine compliance with and enforce the provisions of this section and any rules adopted
94 hereunder in accordance with state law.